ssm

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2175 OF 2005

IN

FIRST APPEAL NO. 1117 OF 2005

Satish Mehra & Anr. ..Applicants.

Vs.

The Municipal Corporation of Greater Mumbai. ..Respondents.

Mr. J.J.Shah for the appellants.

CORAM : ANOOP V. MOHTA,J.

DATED : 6th August, 2007

P.C.

1. So far as the Civil Application is concerned and in view of the statement recorded on 5th February, 2007, the Corporation is free to take appropriate steps except to the area of the suit structure as admitted, i.e. 260 sq.fts only. The order dated 5th February, 2007 is referred to is as under:-

> 1. The Municipal Corporation will depute an Officer on Monday 12th February, 2007 at 11.00 a.m. for measuring the area of the disputed structure. The Appellants will remain present at that time and will cooperate with the concerned Officer.

According to the case of the Appellants, the area of the suit structure is not more than 260 sq.ft. The Advocate for Appellant states that if the area is found to be more, he is prepared to reduce the structure to 260 sq.ft.

2. S.O.till 1st March, 2007. Status-quo as of today to be maintained till then.

2. Therefore, the parties to maintain status-quo with regard to any structure restricted to the extent of 260 sq. fts only.

3. The Civil Application is disposed off, accordingly.

[ANOOP V. MOHTA, J.]